

REMARKS

This amendment is submitted with a request for a three month extension, a Request for Continued Examination and appropriate fee in reply to the outstanding final Office Action dated December 14, 2005. Claims 1-22 currently stand rejected. Applicants have amended independent claims 1, 7 and 15 to more particularly distinguish the claimed invention from the cited references. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

Claim Rejections - 35 USC §103

Claims 1-4, 7, 8, 10, 13, 15, 16, 18 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelnur et al. (U.S. Patent No. 6,212,640, hereinafter "Abdelnur") in view of Hooper et al. (U.S. Patent No. 5,414,455, hereinafter "Hooper"). Claims 5, 11 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelnur in view of Hooper, and further in view of Wiser et al. (U.S. Patent No. 6,385,596, hereinafter, "Wiser"). Claims 6, 12 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelnur in view of Hooper, and further in view of Moskowitz (U.S. Patent No. 6,598,162). Claims 9 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelnur in view of Hooper, and further in view of Halabieh (U.S. Patent No. 6,564,170). Claims 14 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelnur in view of Hooper, and further in view of Natarajan (U.S. Patent No. 6,611,599).

Applicant has amended independent claims 1, 7 and 15 to recite, inter alia, the decision regarding shareability being based on the existence of the identifier in the digital literary work. Thus, in an exemplary embodiment according to independent claims 1, 7 and 15, a digital literary work is examined for the existence of an identifier and shared based on the existence of the identifier.

Abdelnur is directed to a method and apparatus for sharing resources in a network environment. However, Abdelnur is silent, as conceded in the Office Action, regarding a digital literary work including an identifier. As such, the Office Action cites Hooper as teaching such

feature at Figure 3 and col. 6, lines 13-15. The cited passage from Hooper discloses a video (100) that includes packets (110) having a packet header (120) and packet data (140) (col. 6, lines 7-11, Figure 3). The packet header (120) includes an ID (121), a RATE (122), a TIME-STAMP (123), and a PACKET-SIZE (125). It should be noted that the ID (121) identifies the particular video. However, none of the ID (121), the RATE (122), the TIME-STAMP (123), or the PACKET-SIZE (125) is used as a basis for a determination as to whether to share the video (100). Accordingly, Hooper fails to teach or suggest that the decision regarding shareability being based on the existence of the identifier in the digital literary work as claimed in independent claims 1, 7 and 15.

Halabieh is directed to customizable user interfaces. Natarajan, Moskowitz and Wiser are each directed to encryption methods. Halabieh, Natarajan, Moskowitz and Wiser each fail to teach or suggest that the decision regarding shareability being based on the existence of the identifier in the digital literary work as claimed in independent claims 1, 7 and 15. Furthermore, none of Halabieh, Natarajan, Moskowitz and Wiser is cited as disclosing such feature.

Since Abdelnur, Hooper, Halabieh, Natarajan, Moskowitz and Wiser each fail to teach or suggest the aforementioned features of independent claims 1, 7 and 15, any combination of Abdelnur, Hooper, Halabieh, Natarajan, Moskowitz and Wiser also fails to teach or suggest the subject matter of independent claims 1, 7 and 15. Thus, the cited references, taken either individually or in combination, do not anticipate, or render independent claims 1, 7 and 15 obvious. Claims 2-6, 8-14 and 16-22 depend either directly or indirectly from a respective one of independent claims 1, 7 and 15, and as such, include all the recitations of their respective independent claims. The dependent claims 2-6, 8-14 and 16-22 are therefore patentably distinct from the cited references, individually or in combination, for at least the same reasons as given above for independent claims 1, 7 and 15.

Accordingly, Applicants respectfully submit that the rejections of claims 1-22 are overcome.

CONCLUSION

In view of the amended claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Chad L. Thorson
Registration No. 55,675

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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